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OFFICE OF PETITIONS

In re Application of :  
David A. Fish :  
Application No. 10/597,096 : ON PETITION  
Filed: July 11, 2006 :  
Attorney Docket No. GB040020US1 :

This is a decision on the renewed petition to revive under 37 CFR 1.137(b), filed April 4, 2011.

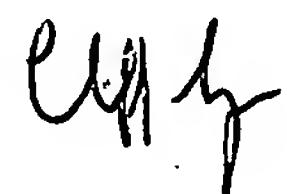
The petition under 37 CFR 1.137(b) is GRANTED.

The above-identified application became abandoned for failure to timely file a reply in response to the Notice of Non-Compliant Amendment, mailed July 12, 2010. This Notice set an extendable period for reply of one month. No reply having been received, the application became abandoned on August 13, 2010. Applicant filed a petition to revive under 37 CFR 1.137(b) on February 23, 2011. However, the petition was dismissed in a decision mailed on March 30, 2011. The petition was dismissed because applicants did not submit a complete reply to the Notice of Non-Compliant Amendment.

With the instant petition, applicant has submitted a complete reply to the Notice of Non-Compliant Amendment. The other requirements for a grantable petition were previously satisfied with the petition filed on February 23, 2011.

The application is being forwarded to Group Art Unit 2629 for consideration of the Amendment filed April 4, 2011.

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo  
Petitions Attorney  
Office of Petitions